

Notice of Allowability

Application No.

09/991,932

Examiner

Abdulahakim Nobahar

Applicant(s)

MIYAGAWA ET AL.

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/12/2007.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This communication is in response to applicants Amendment filed on 09/12/2007.
2. Applicant's arguments with respect to the claims objections and rejections under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejections have been withdrawn.

Allowable Subject Matter

1. Claims 1-16 are allowed.
2. Claim 17 is cancelled.
3. The following is an examiner's statement of reasons for allowance:

The primary reasons for the allowance of the independent claims 1, 9 and 13 are the inclusion of the following limitations that are not found in the prior art and they are uniquely distinct features. The closest prior arts are Sheymov et al (2002/0023227 A1) and Osborne et al (6,687,833 B1). Sheymov discloses a protection system for a portion of a distributed network. In particular, Sheymov discloses an invention that provides systems and methods for determining the origin of an unauthorized access attempt. Sheymov further discloses determining an action responsive to an unauthorized access attempt. Osborne discloses a system and method for providing a network host decoy using a pseudo network protocol stack implementation. Osborne also discloses individual nuances particular to a given platform and operating system are introduced in a protocol stack specific manner.

However, the above two arts, singularly or in combination, fail to anticipate or render the following limitation:

“Claim 1: the response being encapsulated and sent to a network device within said given internal communication network to be decapsulated and transmitted by the network device to said data communication device”.

“Claim 9: the response being encapsulated by the data center and sent to a network device within said internal communication network to be decapsulated and transmitted by the network device to said data communication device”.

“Claim 13: sending the encapsulated response packet to a network device, wherein the network device is within the internal network, and

wherein the network device decapsulates the encapsulated response packet and forwards the decapsulated packet to the source of the unauthorized access packet”.

4. The dependent claims 2-8, 10-12 and 14-16 are allowed because they were originally found to include a unique feature not found in the closest abovementioned art.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 571-272-3808. The examiner can normally be reached on M-T 8-6.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdulhakim Nobahar
Examiner
Art Unit 2132 *A.N.*

November 16, 2007

Gilberto Barron Jr.
GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100